

REMARKS

Claims 1-10 and 13-46, as amended, remain herein. Claims 32-43 are presently withdrawn from consideration. Claims 1, 8, 26 and 45 have been amended. Support for the amendments may be found throughout applicants' original disclosure.

1. Applicants note and appreciate the indication that claim 46 would be allowable, but for the objection relating thereto. However, the contention in the Office Action that there is no antecedent basis for "the puncture needle retaining elastic member" is incorrect. Such antecedent basis is clearly shown in the section of claim 46 reproduced below:

the puncture needle cartridge including **a puncture needle retaining elastic member** for engaging the first dent of the puncture needle body member which is positioned in a front end in the puncture needle cartridge to hold the puncture needle

Claim 46 is thus in proper form and should be allowable.

2. The amendments herein moot the objections to claims 1 and 45.

3. Claim 45 was rejected under 35 U.S.C. § 102(b) over Grunert U.S. Patent 3,030,959. Claim 45, as amended, recites "a loading cover on a side parallel to the axial direction of said cylindrical case, for permitting loading and unloading of the puncture needle cartridge into and out of the puncture instrument." Grunert discloses no such loading cover.

Since Grunert fails to disclose every element of applicants' claim 45, Grunert is an inadequate basis for rejecting claim 45 under 35 U.S.C. § 102(b).

Reconsideration and withdrawal of the rejection are respectfully requested.

4. Claims 1-7 and 26-31 were rejected under 35 U.S.C. § 103(a) over Rouviere FR 2797579 in view of Grunert, Kolomeir U.S. Patent 3,708,235, Yeh U.S. D491,604 and Palmer U.S. 2,701,077. Claims 1 and 26, as amended, both recite "wherein a circumferential convex

portion of the body member is on the radially inner side of the point end of the body member that extends in the axial direction of the forward end, a circumferential concave portion of the body member is on the part of the rear end complimentary to the convex portion, and they fit into each other when axially adjacent puncture needles are connected.”

In the present application, the strength is secured so that the serial connection of the puncture needles is not disconnected even when a load is applied from the puncture needle stopping member to the puncture needles, by providing the above-described circumferential convex portion on the puncture needles. *See* Specification, page 28, lines 13-20.

With this feature, it is possible to arrange the plural puncture needle stopping members (see claim 4, for example) to hold each of the puncture needles connected, as shown in applicants’ Fig. 2.

The marking unit disclosed in Kolomeir does not have a circumferential convex portion, as in applicants’ amended claims. Kolomeir describes “The projection 11 of each following unit fits loosely in the recess 23 of each preceding unit (column 3, lines 45-47),” where connection strength of the marking unit is not sufficient.

Similarly, the circumferential convex portion of applicants’ amended claims is not disclosed in Yeh. Since Palmer describes only the construction which holds the plural frankfurters, and since each of the frankfurters is connected with each other, the relation between the connection of connected puncture needles and stopping members is neither disclosed nor suggested.

Therefore, when attempting to arrange the plural stopping members of Palmer to a construction of puncture needles or a unit which is disclosed in Kolomeir or Yeh, the connection

between puncture needles falls out when pulling the former puncture needles and it is not possible to set the puncture needles in useable condition.

Rouviere describes a construction which stops twisting between puncture needles, and improves the connection strength as show in applicants' Fig. 12. However, in this construction, it is not necessary to provide plural stopping members to hold each of the puncture needles. Therefore, there is no motivation to combine Palmer and Rouviere.

Claims 2-7 depend from claim 1, and claims 27-31 depend from claim 26, both of which are patentably distinguished above.

Nor would it have been obvious to one of ordinary skill in the art to combine Grunert, Kolomeir, Yeh, and Palmer U.S. 2,701,077 to achieve all limitations of applicants' claims 1-7 and 26-31.

Reconsideration and withdrawal of the rejection are respectfully requested.

5. Claims 8-17, 21, 22, 24 and 25 were rejected under 35 U.S.C. § 103(a) over Grunert, Kolomeir and Yeh. Like claims 1 and 26 discussed above, claim 8, as amended, recites "wherein a circumferential convex portion of the body member is on the radially inner side of the point end of the body member that extends in the axial direction of the forward end, a circumferential concave portion of the body member is on the part of the rear end complimentary to the convex portion, and they fit into each other when axially adjacent puncture needles are connected." As discussed above, neither Grunert, Kolomeir nor Yeh discloses this feature. Claims 9-17, 21, 22, 24 and 25 all depend from claim 8, which is patentably distinct over the Grunert, Kolomeir and Yeh, in view of the aforementioned limitation.

Nor would it have been obvious to one of ordinary skill in the art to combine Grunert,

Kolomeir and Yeh to achieve all limitations of applicants' claims 8-17, 21, 22, 24 and 25.

Reconsideration and withdrawal of the rejection are respectfully requested.

6. Claims 19, 20, 22 and 23 were rejected under 35 U.S.C. § 103(a) over Grunert, Kolomeir, Yeh and Rouviere. Claims 19, 20, 22 and 23 depend from claim 8, which is patentably distinguished above over Grunert, Kolomeir, Yeh and Rouviere. Nor would it have been obvious to one of ordinary skill in the art to combine Grunert, Kolomeir, Yeh and Rouviere to achieve all limitations of applicants' claims 19, 20, 22 and 23.

Reconsideration and withdrawal of the rejection are respectfully requested.

7. Claim 44 was rejected under 35 U.S.C. § 103(a) over Rouviere, Grunert, Kolomeir, Yeh, and Weiss U.S. Patent 5,957,601. Claim 44 depends from claim 1, which is patentably distinguished above over Rouviere, Grunert, Kolomeir and Yeh. Weiss fails to supply the omissions of Rouviere, Grunert, Kolomeir and Yeh. Nor would it have been obvious to one of ordinary skill in the art to combine Rouviere, Grunert, Kolomeir, Yeh and Weiss to achieve all limitations of applicants' claim 44.

Reconsideration and withdrawal of the rejection are respectfully requested.

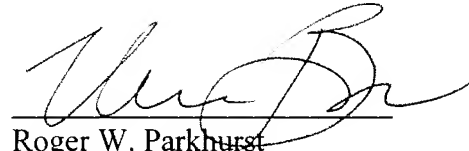
Thus, none of Rouviere, Grunert, Kolomeir, Yeh, Palmer or Weiss discloses all elements of applicants' claims. In addition, Rouviere, Grunert, Kolomeir, Yeh, Palmer and Weiss disclose nothing that would have suggested applicants' claimed invention to one of ordinary skill in this art. There is no disclosure or teaching in any of Rouviere, Grunert, Kolomeir, Yeh, Palmer or Weiss, or otherwise in this record, that would have suggested the desirability of modifying any portions thereof effectively to anticipate or suggest applicants' presently claimed invention.

Applicants respectfully request reconsideration and withdrawal of all rejections.

For all the foregoing reasons, all claims are now proper in form and patentably distinguished over all grounds of rejection cited in the Office Action. The PTO is hereby authorized to charge or credit any necessary fees to Deposit Account No. 19-4293. Should the Examiner deem that any further amendments would be desirable in placing this application in even better condition for issue, he is invited to telephone applicants' undersigned representative.

Respectfully submitted,

STEPTOE & JOHNSON LLP

A handwritten signature in dark ink, appearing to read 'R. W. Parkhurst', written over a horizontal line.

Roger W. Parkhurst
Reg. No. 25,177
William J. Barrow
Reg. No. 62,813

Date: December 13, 2010

STEPTOE & JOHNSON LLP
1330 Connecticut Ave., N.W.
Washington, D.C. 20036
Tel: (202) 429-3000
Fax: (202) 429-3902